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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,655	08/16/2006	Olivier Heen	PF040026	9979
72109 7590 03/28/2012 MYERS WOLIN, LLC 100 HEADQUARTERS PLAZA NORTH TOWER, 6TH FLOOR MORRISTOWN, NJ 07960-6834				
EXAMINER SIDDIQI, MOHAMMAD A				
ART UNIT 2493		PAPER NUMBER		
NOTIFICATION DATE 03/28/2012		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@myerswolin.com

Office Action Summary

Application No.

10/589,655

Applicant(s)

HEEN ET AL.

Examiner

MOHAMMAD SIDDIQI

Art Unit

2493

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 5-12 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 5-12 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date ____

DETAILED ACTION

1. Claims 5-12 are examined. Claims 1-4 have been cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eiden et al. (6,829,487) (Hereinafter Eiden) in view of Motoyama et al (7,058,719) (Hereinafter Motoyama).
4. Eiden discloses a method for inserting a new device in a community of devices comprising (fig 1-2): selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community (fig 2, col 5, lines 1-33);
- storing, by each device of the community which receives an insertion request from a new device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device), the insertion request in a memory of said each device (204,

205, fig 2, col 6, lines 22-58, member stores the information in his communication device);

forwarding (col 5, lines 10-13, message transmitted to each group member), by each device of the community which receives a request from the device (elements of fig 2, col 6, lines 22-58), the at least one stored insertion request to said device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device).

Eiden further discloses the new member applies for membership (fig 1, col 5, lines 1-5) in a short-range ad hoc network system (fig 4, col 9, lines 25-26), each member of the ad hoc group accept the new member (fig 2).

Eiden did not disclose selecting a user chosen device, selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community; performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community.

Motoyama discloses selecting a user chosen device (fig 14), selecting (fig 14, col 16, lines 45-51, control device is a chosen device to add new device in the network), by a user, a user chosen device from one of the community of devices (fig 1, is a system diagram illustrating a system for managing and controlling a local network of electronic devices in accordance with an embodiment of the present invention reads on community of device) for authorizing insertion of a new device into the community (1420, fig 14, col 16, lines 45-62, control device adds the new device to the network); performing, by the user chosen device (user chosen device is a control device, col 16, lines 32-45), at least one user action for authorizing the insertion of the new device into

the community (fig 16, col 17, lines 47-67, user selects new wireless device from the selection menu of the control device of the network and the function is "add the device" which authorize control device to add the new device to the network) .

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Eiden and Motoyama. The motivation would have been providing protection and access control to ad hoc or home networks without requiring authentication server.

5. As per claim 6, the claim is rejected for the same reasons as claim 5, above. In addition, Motoyama discloses further comprising a step of: selecting, using the user interface of the user chosen device (fig 14 and 16), one of the insertion requests received by the user chosen device, to authorize the device having emitted said insertion request to be inserted in the community (fig 14 and 16, col 17, lines 47-67).

6. As per claim 7, the claim is rejected for the same reasons as claim 5, above. In addition, Motoyama discloses further comprising a step of: sending, from said user chosen device, an insertion request to the new device inserted in the community to request that said user chosen device enters the new device's community (fig 16, col 17, lines 46-67).

7. As per claim 8, the claim is rejected for the same reasons as claim 5, above. In addition, Motoyama discloses wherein said insertion request from said user chosen device is transmitted to the new device inserted in the community through the device of

the community having first forwarded (fig 16, col 17, lines 46-67, sends a setup request to control device) the insertion request from the new device to the user chosen device in case said user chosen device cannot directly communicate with the new device community (16, col 17, lines 46-67).

8. As per claim 9, Eiden discloses device adapted to belong to a community of networked devices, characterized in that wherein said device comprises:

a first memory for storing at least one insertion request received from a new device requesting to be inserted in the community (fig 4, col 6, lines 22-58);

a network interface (fig 4, col 2, lines 19-21) for sending the at least one insertion request stored in said first memory upon request from a device of the community for performing at least one user action for authorizing the insertion of the new device in the community (votes for the new member, elements of the fig 2, col 6, lines 22-58);

a second memory for storing insertion requests sent by other devices of the community (204, 205, fig 2, col 6, lines 22-58). Eiden does not explicitly disclose sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community for performing at least one user action for authorizing the insertion of the new device in the community. However, Motoyama discloses a network interface (fig 1) sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community (fig 1, is a system diagram illustrating a system for managing and controlling a local network of

electronic devices in accordance with an embodiment of the present invention reads on community of device) for performing at least one user action for authorizing the insertion of the new device in the community (fig 16, col 17, lines 47-67, user selects new wireless device from the selection menu of the control device of the network and the function is "add the device" which authorize control device to add the new device to the network). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Eiden and Motoyama. The motivation would have been providing protection and access control to ad hoc or home networks without requiring authentication server.

9. As per claim 10, the claim is rejected for the same reasons as claim 9, above. In addition, Eiden discloses a user interface allowing a user to select one of the insertion requests received by the user chosen device (fig1-2), to authorize the device (votes for the new member, elements of the fig 2, col 6, lines 22-58) having emitted said insertion request to be inserted in the community when said device is the user chosen device (votes for the new member, elements of the fig 2, col 6, lines 22-58).

10. As per claim 11, the claim is rejected for the same reasons as claim 9, above. In addition, Eiden discloses insertion requests contain a provable identity of the new device (col 3, lines 1-33).

11. As per claim 12, the claim is rejected for the same reasons as claim 9, above. In addition, Eiden discloses the device having received an insertion request from a new device is further able to broadcast the provable identity of the chosen device to the new device (fig 1-2, col 3, lines 1-33, message transmitted to every member of the group).

Response to Arguments

12. Applicant's arguments filed 12/16/2011 have been fully considered but they are not persuasive, therefore rejections to claims 5-12 is maintained.

13. In the remarks applicants argued that:

Argument: Combination of Eiden and Motoyama does not disclose selecting a user chosen device, selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community; performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community.

Response: Eiden discloses a method for inserting a new device in a community of devices comprising (fig 1-2): selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community (fig 2, col 5, lines 1-33); storing, by each device of the community which receives an insertion request from a new device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device), the insertion request in a memory of said

each device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device); forwarding (col 5, lines 10-13, message transmitted to each group member), by each device of the community which receives a request from the device (elements of fig 2, col 6, lines 22-58), the at least one stored insertion request to said device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device). Eiden further discloses the new member applies for membership (fig 1, col 5, lines 1-5) in a short-range ad hoc network system (fig 4, col 9, lines 25-26), each member of the ad hoc group accept the new member (fig 2).

Motoyama discloses selecting a user chosen device (fig 14), selecting (fig 14, col 16, lines 45-51, control device is a chosen device to add new device in the network), by a user, a user chosen device from one of the community of devices (fig 1, is a system diagram illustrating a system for managing and controlling a local network of electronic devices in accordance with an embodiment of the present invention reads on community of device) for authorizing insertion of a new device into the community (1420, fig 14, col 16, lines 45-62, control device adds the new device to the network); performing, by the user chosen device (user chosen device is a control device, col 16, lines 32-45), at least one user action for authorizing the insertion of the new device into the community (fig 16, col 17, lines 47-67, user selects new wireless device from the selection menu of the control device of the network and the function is "add the device" which authorize control device to add the new device to the network) . It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Eiden and Motoyama. The motivation would have been

providing protection and access control to ad hoc or home networks without requiring authentication server.

With regards to claim 9, Motoyama discloses a network interface (fig 1) sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community (fig 1, is a system diagram illustrating a system for managing and controlling a local network of electronic devices in accordance with an embodiment of the present invention reads on community of device) for performing at least one user action for authorizing the insertion of the new device in the community (fig 16, col 17, lines 47-67, user selects new wireless device from the selection menu of the control device of the network and the function is "add the device" which authorize control device to add the new device to the network).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 6,772,195 teaches selecting a user chosen device, selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community; performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community (columns 3 and 5).

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15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Colin can be reached on (571) 272-3862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. S./
Examiner, Art Unit 2493

/Carl Colin/
Supervisory Patent Examiner, Art Unit 2493